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June 8

SEP 2 1956
CONCORD, N.H.

Mr. James J. Barry, Commissioner
Department of Welfare
State House Annex
Concord, New Hampshire

Dear Mr. Barry:

This is in response to your request of May 21st, for our opinion as to whether on the basis of the recent Supreme Court decision in City of Manchester v. County of Hillsborough (decided December 31, 1955), you should change departmental policy with respect to residence requirements for Old Age Assistance and Aid to the Dependent and Totally Disabled. RSA 167:6 (a), (b), (c) and (f).

It is the opinion of this office that the aforementioned Supreme Court decision has no effect on the residence eligibility requirements under these programs. In order for an applicant to be eligible for assistance he must comply with the statutory requirement of having resided in the State consistently for one year immediately preceding application. This letter is intended only as confirmation of the fact that your policy is not affected by the recent Supreme Court decision. Past opinions of this office dealing with temporary absence and other similar situations are, of course, not affected by this opinion.

Very truly yours,

Elmer T. Bourque
Assistant Attorney General

ETB/T